

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Social Welfare – Land Acquisition – Mahabubnagar District – Veerannapet Locality Mahabubnagar Town & District - Acquisition of land to an extent of Ac.2.26 Gts in Sy.No.915 - for providing house sites to the weaker section's people – Sanction of Rs.1,55,00,000/- towards decretal charges, as per the orders of the Hon'ble High Court dated 15.02.2010 in WP.No.2960/2010 - Orders – Issued.

SOCIAL WELFARE (LA.2) DEPARTMENT

G.O. Rt. No. 671

Dated: 09.08.2010.

Read the following:

1. From the District Collector Mahabubnagar Lr..No.G2/272/72, dated 23.05.2010 and 28.6.2010.
2. Govt.Memo.No.11817//2009, SW (LA-2) Dept dated 06.7.2010
3. From the Commissioner of Social Welfare, AP., Hyderabad Lr..No. LA2/3439/2009, dated 09.7.2010. and 16.7.2010.
4. Govt.Memo.No.11817//2009, SW (LA-2) Dept dated 23.7.2010
5. From the Chief Commissioner of Land Administration, AP, Hyderabad, Lr. No. G1/1275/2010, Dated.24/7/2010.

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ORDER:

In the reference 5th read above, the Chief Commissioner of Land Administration, AP, Hyderabad, as reported by the Dist. Collector, Mahabubnagar / CSW A.P., Hyd vide references 1st and 3rd read above, has stated that a total extent of AC.383-15 Gts in Sy.No.921 situated in the limits of Veerannapet locality of Mahabubnagar Town & Dist is Govt Poramboke land out of which an extent of Ac. 3.28 Gts was allotted to weaker sections towards house sites in the year 1973. In the year 1982 the landowner of Sy.No.915 i.e., adjacent land which was allotted towards house sites to weaker sections made a representation stating that the lay out plan made for allotment of house site pattas in the year 1973 falls in his land bearing Sy.No.915 and therefore requested for payment of compensation. Due to non-payment of compensation, the landowner of Sy.No.915 approached the High Court in WP.No.30741/98. The Hon'ble High court in its order dated 06.12.2007 observed that it shall also be open to the respondents herein to negotiate with the petitioners for passing a consent award in accordance with the APLA (Negotiations Committee) Rules 1992 so that the things can be given a quietus expeditiously and the ends of justice would be met and directed the 1st respondents i.e., Dist Collector, Mahabubnagar to initiate LA proceedings in respect of land bearing Sy.No.915 to an extent of Ac.2.26 Gts. situated at Veerannapet of Mahabubnagar Town, immediately and complete within a period of (3) months from the date of receipt of order copy. The Advocate General opined that considerable delay has been happened in filing Writ Appeal and advised for providing of alternate lands around Mahabubnagar Town, if not possible, at reasonable market value of lands. If above two things are not possible, then to take further course of action. As per the judgment of High Court dated 06.12.2007 the respondents (LAO, MHBR) published DN&DD and fixed (PV) market value at Rs.667/- per Sq. Yd (i.e., 1000/- 1/3rd Development charges). The total amount worked out towards compensation Rs.1.22 Crores excluding payable U/s 34 of LA Act.

2. As per the opinion of Advocate General, A.P., the Petitioners were offered alternate land to an extent of Ac.2-26 Gts in Sy.No.523 situated at Christinapally (V) of Mahabubnagar town which was rejected by the Petitioners stating that the alternative land is no way comparable either in location, value, potentiality or in other factors. They were also offered vacant pieces available in Sy.No.915 & 921 however it was also rejected by the Petitioners. The Petitioners filed CC No.1007/09 before the High Court and the same was dismissed on dated 22.01.2010.:

3. The Writ Petitioners have filed another WP.No.2960/2010 for not passing of award to the land admeasuring Ac.2.26 Gts in Sy.No.915 situated at Veerannapet locality of Mahabubnagar town. The Hon'ble High court in its order dated 15.02.2010 directed the 3rd respondent (ie., LAO/RDO, Mahabubnagar) to pass an award as expeditiously as possible at any rate within a period of 4 months from the date of 15.02.2010 and communicate the same to the petitioners. Keeping in view the directions of Hon'ble

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High Court the Dist. Collector, Mahabubnagar has placed the matter relating to payment of compensation before the DLNC. The Land holders appeared before the Committee and requested to pass consent Award for Rs.1.82 Crores. They finally requested to pay an amount of Rs.1.55 Crores as a package deal for an extent covering Ac.2.26 Gts in Veerannapet locality of Mahabubnagar town. The Committee approved the rate and agreement was executed to this effect. The Writ Petitioner has filed CC.No.886/2010 in WP.No.2960/2010. The Hon'ble High court directed the respondents to comply the orders.dated15.2.2010 on or before 28.7.2010 and report compliance to High court. The Govt Pleader for LA, AP High Court advised the District Collector to comply the orders .

4. The CCLA, Hyd has forwarded the proposals of the Commissioner of Social Welfare, Hyderabad. /Dist Collector, Mahabubnagar for release of amount of Rs.1.55 Crores towards land compensation so as to pass award as per the direction of High Court dated 15.02.2010 in WP No.2960/2010 or permit the District Collector, Mahabubnagar to utilise the amount from available Revenue deposits towards payment of compensation.

5. After careful examination of the matter, Government hereby accord sanction to the Commissioner of Social Welfare, AP, Hyderabad for release of an amount of Rs.1,55,00,000/- (Rupees One Crore and Fifty Five Lakhs only) to the District Collector, Mahabubnagar towards payment of compensation, as a package deal which was approved by the DLNC and as per agreement executed to this effect, as per the orders of Hon'ble High Court orders dated 15.02.2010 in WP. No.2960/2010 in respect of the land acquired to an extent of Ac.2.26 Gts in Sy.No.915 for providing house sites to the weaker sections in Veerannapet Locality, Mahabubnagar Town of Mahabubnagar District

6. The amount of expenditure sanctioned in para (5) above shall be met within the B.E. 2010-11 and debited to the following Head of Account:

“2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes - 01- Welfare of Scheduled Castes – M.H.283 - Housing - G.H.11-Normal State Plan - SH(08) Acquisition of House sites for weaker sections under Indiramma Programme - 310/312 – other Grants-in-Aid” .

7. The Commissioner of Social Welfare, A.P., Hyderabad, is directed to issue necessary proceedings to the District Collector, Mahabubnagar to comply with the Court orders.

8. The District Collector, Mahabubnagar shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

9. This order issues with the concurrence of Finance (Expr.SW) Department, vide their U.O No.9816/240/A1/ESW/10, dated 28.7.2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Chief Commissioner of Land Administration, AP, Hyderabad.
The Commissioner of Social Welfare, A.P., Hyderabad.
The District Collector, Mahabubnagar District..

Copy to:

The Director of Treasuries & Accounts, A.P. Hyderabad.
The Accountant General, A.P., Hyderabad
The District Treasury Officer, Mahabubnagar District.
Finance (Exp.SW/BG) Department.

SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER